

STANDARD CRIMINAL 12

ABSENCE OF OTHER PARTICIPANT

The only matter for you to determine is whether the State has proved the defendant guilty beyond a reasonable doubt. The defendant's guilt or innocence is not affected by the fact that another person or persons might have participated or cooperated in the crime and is not on trial now. You should not guess about the reason any other person is absent from the courtroom.

SOURCE: RAJI (Criminal) No. 12 (1996); *State v. Cannon*, 148 Ariz. 72, 79-80, 713 P.2d 273, 280-81 (1985).
